



Atty. Dkt. No. 062834-0114

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Anson J. GEHMAN et al.  
Title: SYSTEM, METHOD AND COMPUTER  
PROGRAM PRODUCT FOR DETERMINING  
PRODUCT SUPPLY PARAMETERS IN A  
SUPPLY CHAIN MANAGEMENT  
FRAMEWORK

RECEIVED  
JUN 22 2004  
GROUP 0000

Appl. No.: 09/816,285  
Filing Date: 03/23/2001  
Examiner: Florian M. Zeender  
Art Unit: 3627

**INFORMATION DISCLOSURE STATEMENT**  
**UNDER 37 CFR § 1.56**

Commissioner for Patents  
PO Box 1450  
Alexandria, Virginia 22313-1450

Sir:

Submitted herewith on Form PTO/SB/08 is a listing of documents known to Applicants in order to comply with Applicants' duty of disclosure pursuant to 37 CFR § 1.56. A copy of each listed document is being submitted to comply with the provisions of 37 CFR § 1.97 and § 1.98.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 CFR § 1.56(b). Applicants do not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* art reference against the claims of the present application.

06/18/2004 CCHAU1 00000188 09816285  
02 FC:1806 180.00 OP

**TIMING OF THE DISCLOSURE**

The listed documents are being submitted in compliance with 37 CFR §1.97(c), before the mailing date of either a final action under 37 CFR §1.113, a notice of allowance under 37 CFR §1.113, or an action that otherwise closes prosecution in the application.

**RELEVANCE OF EACH DOCUMENT**

All of the documents are in English.

Applicants respectfully request that any listed document be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO/SB/08 be returned in accordance with MPEP §609.

**FEE**

A fee in connection with submission of an information disclosure statement under 37 CFR §1.97(c) in the amount of \$180.00 in accordance with 37 CFR §1.17(p) is attached.

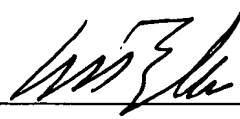
The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 CFR §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

Respectfully submitted,

Date June 17, 2004

FOLEY & LARDNER  
Customer Number: 22428  
Telephone: (202) 672-5485  
Facsimile: (202) 672-5399

By



William T. Ellis  
Attorney for Applicant  
Registration No. 26,874

JUN 17 2004

MODIFIED PTO/SB/08 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449B/PTO

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

Date Submitted: June 17, 2004

(use as many sheets as necessary)

Sheet 1 of 3

**Complete if Known**

|                        |                        |
|------------------------|------------------------|
| Application Number     | 062834-0188            |
| Filing Date            | March 23, 2001         |
| First Named Inventor   | Anson J. GEHMAN et al. |
| Group Art Unit         | 3627                   |
| Examiner Name          | Florian M. Zeender     |
| Attorney Docket Number | 062834-0188            |

**U.S. PATENT DOCUMENTS**

| Examiner Initials* | Cite No. <sup>1</sup> | U.S. Patent Document |                                   | Name of Patentee or Applicant of Cited Document | Date of Publication of Cited Document MM-DD-YYYY | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear |
|--------------------|-----------------------|----------------------|-----------------------------------|-------------------------------------------------|--------------------------------------------------|---------------------------------------------------------------------------|
|                    |                       | Number               | Kind Code <sup>2</sup> (if known) |                                                 |                                                  |                                                                           |
|                    |                       | 5,204,821            |                                   | Inui et al.                                     | 04-20-1993                                       |                                                                           |
|                    |                       | 5,490,060            |                                   | Malec et al.                                    | 02-06-1996                                       |                                                                           |
|                    |                       | 5,638,519            |                                   | Haluska                                         | 06-10-1997                                       |                                                                           |
|                    |                       | 5,802,502            |                                   | Gell et al.                                     | 09-01-1998                                       |                                                                           |
|                    |                       | 5,854,746            |                                   | Yamamoto et al.                                 | 12-29-1998                                       |                                                                           |
|                    |                       | 5,898,765            |                                   | Teglovic et al.                                 | 04-27-1999                                       |                                                                           |
|                    |                       | 5,914,878            |                                   | Yamamoto et al.                                 | 06-22-1999                                       |                                                                           |
|                    |                       | 6,009,407            |                                   | Garg                                            | 12-28-1999                                       |                                                                           |
|                    |                       | 6,058,375            |                                   | Park                                            | 05-02-2000                                       |                                                                           |
|                    |                       | 6,061,691            |                                   | Fox                                             | 05-09-2000                                       |                                                                           |
|                    |                       | 6,078,900            |                                   | Ettl et al.                                     | 06-20-2000                                       |                                                                           |
|                    |                       | 6,167,378            |                                   | Webber, Jr.                                     | 12-26-2000                                       |                                                                           |
|                    |                       | 6,260,024            | B1                                | Shkedy                                          | 07-10-2001                                       |                                                                           |
|                    |                       | 6,266,652            | B1                                | Godin et al.                                    | 07-24-2001                                       |                                                                           |
|                    |                       | 6,324,522            | B2                                | Peterson et al.                                 | 11-27-2001                                       |                                                                           |
|                    |                       | 6,338,050            | B1                                | Conklin et al.                                  | 01-08-2002                                       |                                                                           |
|                    |                       | 6,366,890            | B1                                | Usrey                                           | 04-02-2002                                       |                                                                           |
|                    |                       | 6,477,513            | B1                                | Walker et al.                                   | 11-05-2002                                       |                                                                           |
|                    |                       | 6,486,899            | B1                                | Bush, jr.                                       | 11-26-2002                                       |                                                                           |
|                    |                       | 6,564,226            | B1                                | Dickson et al.                                  | 05-13-2003                                       |                                                                           |
|                    |                       | 6,587,827            | B1                                | Hennig et al.                                   | 07-01-2003                                       |                                                                           |
|                    |                       | 6,622,056            | B1                                | Lindell                                         | 09-16-2003                                       |                                                                           |
|                    |                       | 6,643,624            | B2                                | Philippe et al.                                 | 11-04-2003                                       |                                                                           |
|                    |                       | 6,609,101            | B1                                | Landvater                                       | 08-19-2003                                       |                                                                           |
|                    |                       | 6,697,702            | B1                                | Hahn-Carlson                                    | 02-24-2004                                       |                                                                           |
|                    |                       | 2001/0020230         | A1                                | Kaneko et al.                                   | 09-06-2001                                       |                                                                           |
|                    |                       | 2001/0032126         | A1                                | Macartney-Filgate et al.                        | 10-18-2001                                       |                                                                           |
|                    |                       | 2002/0007324         | A1                                | Centner et al.                                  | 01-17-2002                                       |                                                                           |
|                    |                       | 2002/0016760         | A1                                | Sanjesh                                         | 20-07-2002                                       |                                                                           |
|                    |                       | 2002/0019761         | A1                                | Lidow                                           | 02-14-2002                                       |                                                                           |
|                    |                       | 2002/0034673         | A1                                | Bisaka et al.                                   | 03-21-2002                                       |                                                                           |
|                    |                       | 2002/0049649         | A1                                | Kubota                                          | 04-25-2002                                       |                                                                           |
|                    |                       | 2002/0069096         | A1                                | Lindoefer et al.                                | 06-06-2002                                       |                                                                           |
|                    |                       | 2002/0069028         | A1                                | Merz et al.                                     | 06-06-2002                                       |                                                                           |
|                    |                       | 2002/0087371         | A1                                | Abendroth                                       | 07-04-2002                                       |                                                                           |
|                    |                       | 2002/0099598         | A1                                | Eicher, Jr. et al.                              | 07-25-2002                                       |                                                                           |
|                    |                       | 2002/0107761         | A1                                | Kark et al.                                     | 08-08-2002                                       |                                                                           |
|                    |                       | 2002/0123945         | A1                                | Booth et al.                                    | 09-05-2002                                       |                                                                           |
|                    |                       | 2002/0128946         | A1                                | Chehade et al.                                  | 09-12-2002                                       |                                                                           |
|                    |                       | 2002/0143669         | A1                                | Scheer                                          | 10-03-2002                                       |                                                                           |
|                    |                       | 2002/0143692         | A1                                | Heimermann et al.                               | 10-03-2002                                       |                                                                           |
|                    |                       | 2002/0147622         | A1                                | Drolet et al.                                   | 10-10-2002                                       |                                                                           |

Examiner  
SignatureDate  
Considered

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Unique citation designation number. <sup>2</sup> See attached Kinds of U.S. Patent Documents. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, PO Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, PO Box 1450, Alexandria, Virginia 22313-1450.

Substitute for form 1449B/PTO TRADEMARK  
**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

Date Submitted: June 17, 2004

(use as many sheets as necessary)

Sheet 2 of 3

**Complete if Known**

Application Number 062834-0188  
Filing Date March 23, 2001  
First Named Inventor Anson J. GEHMAN et al.  
Group Art Unit 3627  
Examiner Name Florian M. Zeender  
Attorney Docket Number 062834-0188

**U.S. PATENT DOCUMENTS**

| U.S. Patent Document |    |                   |            |  |                                       |
|----------------------|----|-------------------|------------|--|---------------------------------------|
| 2002/0165806         | A1 | Kataria et al.    | 11-07-2002 |  | RECEIVED<br>JUN 22 2004<br>GROUP 3600 |
| 2002/0169658         | A1 | Adler et al.      | 11-14-2002 |  |                                       |
| 2002/0188499         | A1 | Jenkins et al.    | 12-12-2002 |  |                                       |
| 2002/0194057         | A1 | Lidow             | 12-19-2002 |  |                                       |
| 2002/0194043         | A1 | Lidow             | 12-19-2002 |  |                                       |
| 2002/0019759         | A1 | Arunapuram et al. | 02-14-2002 |  |                                       |
| 2003/0009392         | A1 | Perkowski         | 01-09-2003 |  |                                       |
| 2003/0208390         | A1 | Posner            | 11-6-2003  |  |                                       |
| 2003/0208434         | A1 | Posner            | 11-6-2003  |  |                                       |
| 2003/0212610         | A1 | Duffy et al.      | 11-13-2003 |  |                                       |
| 2003/0033192         | A1 | Zyman et al.      | 02-13-2003 |  |                                       |

**FOREIGN PATENT DOCUMENTS**

| Examiner<br>Initials* | Cite<br>No. <sup>1</sup> | Foreign Patent Document |                     |                                      | Name of Patentee or<br>Applicant of Cited Documents | Date of Publication of<br>Cited Document<br>MM-DD-YYYY | Pages, Columns, Lines,<br>Where Relevant<br>Passages or Relevant<br>Figures Appear | T <sup>6</sup> |
|-----------------------|--------------------------|-------------------------|---------------------|--------------------------------------|-----------------------------------------------------|--------------------------------------------------------|------------------------------------------------------------------------------------|----------------|
|                       |                          | Office <sup>3</sup>     | Number <sup>4</sup> | Kind Code <sup>5</sup><br>(if known) |                                                     |                                                        |                                                                                    |                |
|                       |                          |                         |                     |                                      |                                                     |                                                        |                                                                                    |                |
|                       |                          |                         |                     |                                      |                                                     |                                                        |                                                                                    |                |
|                       |                          |                         |                     |                                      |                                                     |                                                        |                                                                                    |                |
|                       |                          |                         |                     |                                      |                                                     |                                                        |                                                                                    |                |

**NON PATENT LITERATURE DOCUMENTS**

| Examiner<br>Initials* | Cite<br>No. <sup>1</sup> | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published. | T <sup>6</sup> |
|-----------------------|--------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------|
|                       |                          | Noori, Hamid; Production and Operations Management; Total Quality Responsiveness; McGraw-Hill; 1995; pages 422-519                                                                                                                                             |                |
|                       |                          | Noori, Hamid; Production and Operations Management; Total Quality Responsiveness; McGraw-Hill; 1995; pages 592-601                                                                                                                                             |                |
|                       |                          | PR Newswire: Andersen Consulting Announce Strategic Alliance, Looksmart, September 6, 2000                                                                                                                                                                     |                |
|                       |                          | Stephanie Stahl, "A Whopping Inventory Task - Burger King's purchasing agency lures suppliers online to streamline its huge distribution system", INFORMATIONWEEK, 1994                                                                                        |                |
|                       |                          | John Rendleman, "Burger King Orders AT&T Mail Service", CommunicationsWeek, 1994.                                                                                                                                                                              |                |

Examiner  
Signature

Date  
Considered

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Unique citation designation number. <sup>2</sup> See attached Kinds of U.S. Patent Documents. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document.

<sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, PO Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, PO Box 1450, Alexandria, Virginia 22313-1450.

JUN 17 2004

MODIFIED PTO/SB/08 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449B/PTO

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

Date Submitted: June 17, 2004

(use as many sheets as necessary)

Sheet 3 of 3

**Complete if Known**

|                        |                        |
|------------------------|------------------------|
| Application Number     | 062834-0188            |
| Filing Date            | March 23, 2001         |
| First Named Inventor   | Anson J. GEHMAN et al. |
| Group Art Unit         | 3627                   |
| Examiner Name          | Florian M. Zeender     |
| Attorney Docket Number | 062834-0188            |

**NON PATENT LITERATURE DOCUMENTS**

| Examiner<br>Initials* | Cite<br>No. <sup>1</sup> | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published. | T <sup>6</sup> |
|-----------------------|--------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------|
|                       |                          | Microsoft Computer Dictionary, 4 <sup>th</sup> Edition, Microsoft Press, 1999, pages 167, 242, 334, 421, 443, 444 and 462                                                                                                                                      |                |
|                       |                          |                                                                                                                                                                                                                                                                |                |
|                       |                          |                                                                                                                                                                                                                                                                |                |
|                       |                          |                                                                                                                                                                                                                                                                |                |
|                       |                          |                                                                                                                                                                                                                                                                |                |
|                       |                          |                                                                                                                                                                                                                                                                |                |
|                       |                          |                                                                                                                                                                                                                                                                |                |

RECEIVED  
JUN 22 2004  
GROUP 3600

Examiner  
Signature

Date  
Considered

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Unique citation designation number. <sup>2</sup> See attached Kinds of U.S. Patent Documents. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, PO Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, PO Box 1450, Alexandria, Virginia 22313-1450.